

REMARKS

Claims 1, 4-9, 12-15, 20-23, and 25-35 were pending and presented for examination and in this application. In a non-final Office Action dated September 6, 2006, all pending claims were rejected.

Applicant is cancelling claim 21 with this Amendment and Response. Applicant is amending claims 1 and 25 in this Amendment and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested. In making these amendments, Applicant does not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicant reserves the right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

In view of the amendments above and remarks that follow, Applicant respectfully requests that Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejection Under 35 USC 102(e) in View of Warren

In the Office Action, Examiner rejects claims 1, 5, 7-9, 12-15, 20-23, and 25-35 under 35 USC § 102(e) as allegedly being anticipated by U.S. Patent No. 6,999,792 (“Warren”).

Claim 1 as amended recites, *inter alia*, the following:

A peripheral device for operation in conjunction with a handheld wireless communication device, the peripheral device comprising:

...

a communication interface operable to receive first data and software code for a peripheral application from the handheld wireless communication device and transmit second data to the handheld wireless communication device, the first and second data being interactable by an application on the handheld wireless

communication device, the peripheral application being associated with the application on the handheld wireless communication device;

...

a processor, coupled to the alphanumeric keyboard, the communication interface, and the screen, **operable to execute the software code for the peripheral application using the user input data and the first data thereby generating the second data.**
(emphasis added)

Support for the proposed claim amendments is found in the specification as filed at, for example, page 9, paragraph [0027]. As amended, claim 1 beneficially recites a peripheral device operational with a handheld wireless communication device (e.g., a smartphone or personal digital assistant with wireless network functionality) that can receive “first data and software code for a peripheral application” from the handheld device and execute the software code using the first data to generate second data. Independent claim 25 similarly recites the above emphasized features.

The claimed feature of receiving software code for software applications from the handheld computing system enables the peripheral device to execute software applications not previously installed in the peripheral device. Therefore, the user can use the peripheral device to complete working on matters that began on the handheld computing system. For example, the user can start typing an email using email software on a handheld wireless communication device, and subsequently transmit the unfinished data (e.g. the initial email) and its associated software code (e.g., code for completing the email) for that application to the peripheral device. The user can then finish the email using that peripheral application on the peripheral device and transmit the completed data (e.g., the finished email) back to the handheld wireless communication device. Advantageously, users of the peripheral device are not restricted to the software applications previously resided on the peripheral device and

can transfer software code for the desired software applications from the handheld wireless communication device to the peripheral device.

Warren, among other differences, does not disclose the claimed features cited above. Warren discloses an input/output device which can work with a portable phone to access the Internet using the portable phone's wireless capability. (See Warren, col. 1, line 65 to col. 2, line 11). Warren does not hint or suggest that the input/output device can receive software code for software applications. Examiner points to col. 4, lines 44-62 of Warren for teaching of the claimed element cited above. However, the cited section of Warren only discloses connecting a portable phone with the input/output device. The input/output device receives data from the portable phone ("view other data on the display screen 20 of the device 10") and transmits data to the portable phone ("user can utilize the keyboard 16 ... of the device 10 to enter data such as a web site address, an email message, ..."). (See Warren, col. 4, lines 44-62). What is disclosed in Warren is different from the claimed feature of receiving software code for software applications. Specifically, data transmitted between devices as described in Warren is information to be processed by applications already present in the existing devices. In contrast, in the claimed invention the software code received by the peripheral device is for the peripheral device to continue to execute an application that was used with the first data on the handheld wireless communication device to continue working with that first data on the peripheral device.

In view of the claim amendments and remarks above, Applicant respectfully submits that the claimed invention is patentably distinguishable over Warren. Similarly, Applicant submits that claim 25, as amended, also is distinguishable over Warren for the same reasons.

Therefore, Applicant respectfully requests that Examiner reconsider the rejection, and withdraw it.

As to the dependent claims, because claims 5, 7-9, 12-15, and 20-23 are dependent on claim 1, and claims 26-35 are dependent on claim 25, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 5, 7-9, 12-15, 20-23, and 26-35.

Response to Rejection Under 35 USC 103(a) in View of Warren and Guerlin

In the Office action, Examiner rejects claims 4 and 6 under 35 USC § 103(a) as allegedly being unpatentable over Warren in view of U.S. Patent No. 5,870,680 (“Guerlin”).

As set forth above with reference to claim 1, Warren does not disclose the claimed feature of:

a communication interface operable to receive first data and software code for a peripheral application from the handheld wireless communication device and transmit second data to the handheld wireless communication device, the first and second data being interactable by an application on the handheld wireless communication device, the peripheral application being associated with the application on the handheld wireless communication device;

...

a processor, coupled to the alphanumeric keyboard, the communication interface, and the screen, operable to execute the software code for the peripheral application using the user input data and the first data thereby generating the second data.

The arguments set forth with respect to claim 1 are applicable for dependent claims 4 and 6, and are therefore, incorporated by reference.

Further, Guerlin also fails to disclose the claimed elements cited above. In contrast to the claimed invention, Guerlin discloses “a method and apparatus for conserving energy in a system including two devices interconnected by a data communication link.” (See

Guerlin, abstract, col. 3, lines 59-62). Guerlin conserves energy consumption by putting the two devices in standby mode during periods when the two devices are inactive. (See Guerlin, col. 5, line 55 – col. 7, line 48). In order to put one device into standby mode or reactivate the device from standby mode, the other device sends or ceases to send messages to the device. (See Guerlin, col. 7, lines 9-43). This disclosure in Guerlin is not what Applicant claims. The data transmitted between the two devices are command signals to be processed by applications in the devices, not software code for software applications.

Likewise, the combination of Warren and Guerlin also fails to disclose or suggest the claimed features cited above. As discussed above, the above claimed feature is not disclosed in either reference. However, even if the two references arguably could be combined, at best the combination provides a system and method for connecting a cellular telephone to a personal computing device, such that the personal computing device can use the cellular telephone to access a network, and the system can preserve energy consumption of the two devices by putting them in standby mode by sending or cease to send messages between them. This is not what Applicant claims. This is not a configuration in which a user of a handheld wireless communication device can use a peripheral device to receive data and software code for software applications from the handheld device.

Thus, alone or in combination, Warren and Guerlin do not disclose the claimed invention as recited in claims 1, 4 or 6, as presented herein. Therefore, based on the amendments and remarks herein, Applicant respectfully submits that for at least these reasons claims 4 and 6 also are patentably distinguishable over the cited references, both alone and in combination. Therefore, Applicant respectfully requests that Examiner reconsider and withdraw the rejection to these claims.

Conclusion

In sum, Applicant respectfully submits that claims 1, 4-9, 12-15, 20-23, and 25-35, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicant requests reconsideration of the basis for the rejections to these claims and requests allowance of them.

In addition, Applicant respectfully invites Examiner to contact Applicant's representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
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